

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claims 16-18 have been canceled and new claims 19 and 20 have been added. Thus, claims 19-20 are pending for further examination.

Claims 16-18 stood rejected under 35 USC 102(b) as being anticipated by Schmidt. The new claims herein have been drafted in a manner that is believed to more clearly and patentably distinguish the teachings of Schmidt and the remaining references of record. Thus, reconsideration and withdrawal of this rejection are respectfully requested.

For example, new claim 19 recites the distinguishing feature of downloading whole software modules. In contrast, Schmidt teaches modifications of software on a terminal. The feature of loading remote software modules is not disclosed in the cited prior art. Instead, Schmidt teaches a software version management system, which allows collecting and recompiling automatically updated version of component software objects of a software program. Thus, the purpose of Schmidt is very different from that of the claimed invention. In fact, a primary purpose of the present invention (see page 2, §4 of the specification) is to avoid rebooting the terminal when updated component software is downloaded. According to new claim 19, updating of the software is made with software modules or executable subroutine.

Furthermore, the system of Schmidt concerns the development of a program. According to Schmidt, the program components are stored in different locations in a network. All program components are accessible by a plurality of network users. This particular structure allows a plurality of users to access and modify each component. The system of Schmidt insures that users are always using an updated version of the program and manages the modification introduced by a user. In contrast, the present invention provides a system for remote loading of objects or files in order to update software. This means that the module constituting the software of the terminal is not modified but is simply replaced by an updated one. In other words, there is no remote modification of modules as disclosed in Schmidt.

We respectfully submit that the actual problem addressed by Schmidt (i.e., to obtain a software version management system, which allows collecting and recompiling automatically updated version of component software objects of a software program) does not address the problem to which the instant invention is directed (i.e., avoiding rebooting the terminal when a component software is downloaded) and does not suggest the solution to this problem as provided by the claimed invention. Without recognizing the problem to which the invention is directed, Schmidt cannot and does not provide a solution to the problem.

Schmidt teaches that the system uses models, which are distinct from components, for managing the version and dependencies of the component. On the contrary, new claim 19 recites that the management of the dependency of the module between each

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other is integrated in each module itself by attributes. Thus, when a new module is downloaded, the checking of its dependency is made by the reading of the attributes comprising all dependence of the module.

For at least the reasons set forth above, Applicant respectfully submits that Schmidt does not teach or suggest the invention defined by the new claims herein. Accordingly, withdrawal of the rejections and passage of this case to issuance at an early date are earnestly solicited.

Should the Examiner have any questions, or deem that any formal matters need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

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